

Exhibit A

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

REBECCA KLYMN,
Plaintiff,
-vs-

MATTHEW ROSENBAUM, MONROE COUNTY
SUPREME COURT, UNIFIED COURT SYSTEM
OF THE STATE OF NEW YORK, OFFICE OF
COURT ADMINISTRATION, OFFICE of the
MANAGING INSPECTOR GENERAL for BIAS
MATTERS, COSMAS GRANT, RONALD
PAWELECZAK, ANN MARIE TADDEO,
CAROLYN GRIMALDI, MARGARET ALLEN,
and AMY FIELDS,

21-cv-6488-JLS/LGF

Defendants.

Discovery Protocol

Pursuant to the Court's Scheduling Order of March 15, 2024, ECF No. 129, as amended by the Court on April 10, 2024, ECF No. 135, the parties agree that this document, together with Attachments A and B, describes the technical specifications for paper and electronic document productions in the above-captioned case unless otherwise agreed to by the parties.

GENERAL REQUIREMENTS:

1. A cover letter should be included with each production and should include the following information:
 - a. Case Caption
 - b. A list of each piece of media included in the production with its unique production volume number.
 - c. Bates range of the production
2. Data can be produced with encryption by secure file transfer protocol (SFTP), CD, DVD, thumb drive, or hard drive (or by electronic means with prior approval), using the media requiring the least number of deliverables and labeled with the following:
 - a. Case number
 - b. Production date

- c. Producing party
 - d. Bates range
3. All document family groups, i.e. email attachments, embedded files, etc., should be produced together and children files should follow parent files sequentially in the Bates numbering.
 4. All load-ready collections should include only one data load file (.dat file) and one image pointer file (.opt file).
 5. All load-ready text must be produced as separate document-level text files.
 6. All load-ready collections must provide the extracted contents of any container files to ensure all relevant files are produced as separate records.
 7. Only alphanumeric characters and the underscore character are permitted in file names and folder names. Special characters are not permitted.
 8. Passwords for electronic documents, files, compressed archives and encrypted media must be provided separately either via email or in a cover letter apart from the media.
 9. All electronic productions should be produced free of computer viruses.
 10. If the producing party de-duplicates data, it will use exact, family-level de-duplication of data using the MD5 hashing algorithm. The integrity of document families must be maintained.
 11. Additional technical descriptions can be found in the Attachment A to this document.
 12. A complete list of required metadata fields, where such fields are available, is available in Attachment B to this document.¹
 13. If hard copy documents are being produced and are not otherwise maintained as ESI, those documents will be scanned, OCR'ed with searchable text, and produced as images with linked OPT, DAT, and TXT files consistent with Attachment A, and will be processed in a manner to provide metadata fields consistent with Attachment B, where available (e.g., BEGDOC, ENDDOC, BEGATTACH, ENDATTACH, CUSTODIAN, FILE NAME, EXTENSION, MD5HASH). Hard copy documents must be produced unitized as individual documents.
 14. Text messages may be produced in RSMF or Cellebrite format, but must be produced with associated metadata to permit threading, including 'Cellebrite Thread Group'.
 15. Any other electronically stored information in any other form or from any other relevant source shall be produced pursuant to the protocols set forth herein.
 16. If a producing party intends to leverage any technology assisted review (TAR) or predictive coding models, this must be disclosed and Parties should meet and confer to agree on acceptable review terms.

¹ The producing party shall provide all available fields in Attachment B where the processing software can extract or assign the required fields using settings designed to consistently capture all extractable or assignable fields from the records.

Dated: May 6, 2024

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Bias Matters*

Attachment A

GENERAL INFORMATION:

Production Type: Images, natives (select file types), extracted text, with OPT and DAT load files.

Sort Order: Sorted by Custodian name (alphabetically), then Family Datetime (oldest to most recent), then by Group Identifier, and then by DocumentID.

Families: Full families will be produced.

DOCUMENT TREATMENT SPECIFICATIONS:

Documents will be produced as TIFF images (Word files will have track changes on, auto-date, auto-time and auto-filepaths removed when converted to image). The text file will contain the extracted text. Exceptions are as follows:

Privilege Docs:	Documents identified as fully privileged during review will not be produced. A TIFF slip-sheet stating “Document Withheld for Privilege” will be provided. The text file will contain the slip-sheet language.
Redacted Docs:	Documents with redactions will be produced as TIFF images with redactions. The redacted TIFF images will be OCR’d, and that will be provided as the text file.
Unreadable Files:	Documents which are deemed unreviewable during review will not be produced. A TIFF slip-sheet stating “Document Cannot be Viewed” will be provided. The text file will contain the slip-sheet language. Select metadata fields identified below will be scrubbed.
Empty Files:	Documents which are flagged as “Empty” during processing (items that are zero (0) bytes in file size) will not be produced. A TIFF slip-sheet stating “Document Cannot be Viewed” will be provided. The text file will contain the slip-sheet language.
Select Natives:	<p>The following file types will be produced in native format, with a TIFF image slip-sheet.</p> <ul style="list-style-type: none"> • Spreadsheet Files (i.e. Excel, CSV) • Multimedia Files (i.e. audio and video files) • Database Files • Presentation Files (i.e. PowerPoint) • System Files <p>The slip-sheet will read “Document Produced in Native Format”. The text file will contain the extracted text.</p>
TIFF Failures:	Documents which cannot be converted to TIFF image and are viewable will be produced in native format with a TIFF image slip-sheet. The slip-sheet will read “Document Cannot be Rendered”. The text file will contain the extracted text.

ENDORSEMENTS

- Bates Number:** Bates numbers will be endorsed in the lower right corner of each image (including slip-sheets). The default font is Arial 10.
- Other:** Other endorsements can be applied (i.e. Confidentiality). The default font is Arial 10. Multiple endorsements in one position cannot be used; therefore, the location of the Bates number, Confidentiality, and any other endorsements must be unique.

STANDARD FOLDERING STRUCTURE

[PRODNAME]\	DATA	(contains load files)
	IMAGES\IMAGES001\	(contains all single-page TIFFs named after Begin Bates)
	NATIVES\NATIVES001\	(contains all native files named after Begin Bates)
	TEXT\TEXT001	(contains multipage text named after Begin Bates)

IMAGE FILE SPECIFICATIONS

- Folder Structure:** Approximately 1,000 Images per folder (documents will NOT be split across folders)
- Image Format:** Group IV Single-Page TIFF @ 300 DPI
- Load File Type:** Opticon .OPT
- Color:** Black and White

TEXT FILES SPECIFICATIONS

- Folder Structure:** Text folder structure will mirror the images folder structure.
- Delivery Format:** Multi-page text files referenced in “TEXTLINK” field in the .DAT file.
- Text File Naming:** Text files named after the beginning Bates number of a document.
- Text File Format:** UTF-8
- OCR:** OCR will not include production-specific endorsements.

NATIVE FILES

- Folder Structure:** Native folder structure will mirror the images folder structure.
- Native File Naming:** Native files named after the beginning Bates number of a document.

METADATA LOAD FILE

- Metadata Fields:** A complete list of required metadata fields is available in Attachment B to this document.
- Metadata Load File Type:** Concordance .DAT File
- Data Format:** UTF-8
- Date Format:** Dates will be mm/dd/yyyy, null dates will be blank
(Example: 07/11/2008)
- Time Format:** Time will be HH:mm:ss, null times will be blank
(Example: 16:23:58:0)

Delimiters:

Delimiter Type	ASCII Value	Symbol
Comma	Character 20	,
Quote	Character 254	„
Newline	Character 174	®
Multi-line	Character 59	;

Attachment B

METADATA FIELDS		
DAT Field Name	Sample	Description
BEGDOC	ABC00000001	Begin Bates number
ENDDOC	ABC00000008	End Bates number
BEGATTACH	ABC00000001	Begin Bates number of family unit
ENDATTACH	ABC00000015	End Bates number of family unit
CUSTODIAN	Smith, John	Individual from whom the document originated
ALL CUSTODIANS	Smith, John; Jones, Jessica	All individuals who have the document; separated by a semi-colon “ ; ”
PAGECOUNT	8	Total number of pages in the document
PARENTID	ABC00000001	Begin Bates number of parent document
ATTACHIDS	ABC00000002; ABC00000014	Begin Bates number of each child attachment, separated by a semi-colon “ ; ”
FROM	jsmith@enron.com	Author of the e-mail message
TO	jjones@someplace.com	Main recipient(s) of the e-mail message
CC	djohnson@here.com; jcain@enron.com	Recipient(s) of “Carbon Copies” of the e-mail message; separated by a semi-colon “ ; ”
BCC	ssmith@enron.com	Recipient(s) of "Blind Carbon Copies" of the e-mail message; separated by a semi-colon “ ; ”
DOCUMENT SUBJECT	My Document	Subject field extracted from the metadata of the native file
EMAIL SUBJECT	Re: Meeting Agenda	Subject field extracted from the metadata of an email file
DOCUMENT TITLE		The title of a document
DOCUMENT AUTHOR	John Smith	Author field extracted from the metadata of the native file
CREATED DATE/TIME	08/02/23 13:15:22	Date and time file was created
FAMILY DATE/TIME	09/24/21 17:12:04	Families: Date and time of the Parent document Single/Loose Files: Date and time of the Document • Email = Sent Date and time • Electronic Loose File = Last Mod Date and time
LAST MODIFIED DATE/TIME	04/15/21 11:29:20	Date and time document was last modified
EMAIL SENT DATE/TIME	01/02/23 12:14:34	Date and time email was sent
FILE SIZE	20000	File size in bytes
CELLEBRITE THREAD GROUP	6762865b3e6d68f2e8d4da efe9ae89ee	Populated with a globally unique identifier that groups messages within the same conversation
PATH	Shared\SmithJ\October Agenda.doc	Original Path to the document. Includes Folder information for Emails, Windows Directory structure for loose files
EXTENSION	.doc	Original extension of a file (null for emails from container)
FILE TYPE	Email	File Type: email, image, spreadsheet, presentation, etc.
MD5 HASH	d131dd02c5e6eec4693d9a 0698aff95c	Unique identifier of the file

FILENAME	My Document.xlsx	Original name of the file or subject of email
TEXTLINK	.\\VOL01\\TEXT\\001\\ABC 0000001.txt	Contains Path to .TXT files
NATIVELINK	.\\VOL01\\NATIVES\\001\\ AB0000001.msg	Contains path to native files
REDACTED	Y	Populated with "Y" to indicate that the document contains redactions; otherwise blank